

**§ 301.64-9**

**7 CFR Ch. III (1-1-07 Edition)**

not in a container, or securely attached to the consignee's copy of the accompanying waybill or other shipping document; *Provided however*, That the requirements of this section may be met by attaching the certificate or limited permit to the consignee's copy of the waybill or other shipping documents only if the regulated article is sufficiently described on the certificate, limited permit, or shipping document to identify such article.

(b) The certificate or limited permit for the movement of a regulated article shall be furnished by the carrier to the consignee at the destination of the shipment.

**§ 301.64-9 Costs and charges.**

The services of an inspector during normal business hours (8 a.m. to 4:30 p.m., Monday through Friday, except holidays) will be furnished without cost. The user will be responsible for all costs and charges arising from inspection and other services provided outside normal business hours.

[70 FR 37254, June 29, 2005]

**§ 301.64-10 Treatments.**

Treatments for regulated articles must be one of the following:

(a) *Apple, grapefruit, orange, pear, plum, pomegranate, quince, and tangerine*. Cold treatment in accordance with part 305 of this chapter.

(b) *Soil within the dripline of plants that are producing or that have produced fruits listed in § 301.64-2(a)*. Remove host fruits from host plants prior to treatment. Using ground equipment, drench the soil under the host plants with 5 lb a.i. diazinon per acre (0.12 lb or 2 oz avdp per 1,000 ft<sup>2</sup>) mixed with 130 gal of water per acre (3 gal per 1,000 ft<sup>2</sup>). Apply at 14- to 16-day intervals as needed. Repeat applications if infestations become established. In addition to the above, follow all label directions for diazinon.

(c) *Premises*. A field, grove, or area that is located within the quarantined area but outside the infested core area, and that produces regulated articles, must receive regular treatments with either malathion or spinosad bait spray. These treatments must take place at 6-to 10-day intervals, starting a sufficient time before harvest (but

not less than 30 days before harvest) to allow for completion of egg and larvae development of the Mexican fruit fly. Determination of the time period must be based on the day degrees model for Mexican fruit fly. Once treatment has begun, it must continue through the harvest period. The malathion bait spray treatment must be applied by aircraft or ground equipment at a rate of 2.4 oz of technical grade malathion and 9.6 oz of protein hydrolysate per acre. The spinosad bait spray treatment must be applied by aircraft or ground equipment at a rate of 0.01 oz of a USDA-approved spinosad formulation and 48 oz of protein hydrolysate per acre. For ground applications, the mixture may be diluted with water to improve coverage.

(d) *Grapefruit and oranges*. Methyl bromide in accordance with part 305 of this chapter.

(e) *Grapefruit, oranges, and tangerines*. High-temperature forced air in accordance with part 305 of this chapter.

(f) *Citrons, litchis, longans, persimmons, and white sapotes*. Cold treatment in accordance with the following schedule, which is also found in part 305 of this chapter:

Treatment (°F)	Exposure period (days)
33 or below .....	18
34 or below .....	20
35 or below .....	22

(g) *Approved irradiation treatment*. Irradiation, carried out in accordance with the provisions of part 305 of this chapter, is approved as a treatment for any fruit listed as a regulated article in § 301.64-2(a).

(1) *Approved facility*. The irradiation treatment facility and treatment protocol must be approved by the Animal and Plant Health Inspection Service. In order to be approved, a facility must:

(i) Be capable of administering a minimum absorbed ionizing radiation dose of 150 Gray (15 krad) to the fruit;<sup>8</sup>

(ii) Be constructed so as to provide physically separate locations for treated and untreated fruit, except that

<sup>8</sup>The maximum absorbed ionizing radiation dose and the irradiation of food are regulated by the Food and Drug Administration under 21 CFR part 179.